



SUBMITTED ELECTRONICALLY
Via FOIA Online

National Freedom of Information Officer
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2822T)
Washington, DC 20460
(202) 566-1667

November 16, 2018

Re: Freedom of Information Act Request for HBCD ORD Information

Dear National Freedom of Information Officer:

Environmental Defense Fund (EDF) respectfully requests records, as that term is described at 5 U.S.C. § 552(f)(2) of the Freedom of Information Act (FOIA), of the U.S. Environmental Protection Agency (EPA or the Agency). In an email from Dr. Tina Bahadori dated January 16, 2018, to personnel in EPA's Office of Chemical Safety and Pollution Prevention (OCSPP), EPA's Office of Research and Development (ORD) indicated that it had recently developed materials on the chemical substance Hexabromocyclododecane (HBCD). *See* Appendix A. EDF's request is limited to the records that ORD identified in this email. Based on ORD's offer in the email to transfer these materials to OCSPP, some of these records may now be maintained by OCSPP. *See id.* Specifically, EDF requests electronic copies of the following records developed within ORD regarding HBCD:

- HBCD Toxicological Review (dated November 2017)
- HBCD Supplemental Information (dated November 2017)
- Data extraction of animal toxicology studies into the Health Assessment Workspace Collaborative (HAWC) and QC;
- Study evaluation of both epidemiology and animal toxicology studies in HAWC;
- Data visualization in HAWC (including development of an exposure-response array visualization option for the HAWC software)
- New HBCD arrays;
- Literature screening of new studies and discussions of how to incorporate them into the draft;
- IRIS assessment protocol and review by agency partners;

- Evidence profile tables that reflect evidence integration for each hazard;
- Discussions of within- and across-stream evidence integration;
- Hazard conclusions using the structured framework in the IRIS Handbook;
- Structure for the Toxicological Review;
- HBCD Reference Dose (RfD); and
- Systematic review documents

If any of the information sought in this request is deemed by EPA to be properly withheld under a FOIA exemption, 5 U.S.C. § 552(b), please provide EDF with an explanation, for each such record or portion thereof, sufficient to identify the record and the particular exemption(s) claimed.

Request for Fee Waiver

As a non-partisan, non-profit organization that provides information that is in the public interest, EDF respectfully requests a waiver of fees associated with this request. We are not seeking information for any commercial purpose and the records received will contribute to a greater public understanding of issues of considerable public interest: EPA's risk evaluations under section 6 of the Lautenberg Act.¹ See 15 U.S.C. § 2605(b)(4). More specifically, EPA has published a problem formulation on HBCD and stated that it will not look at a number of uses of the chemical. HBCD is of considerable public interest because it is found in consumer products, including children's toys and textiles, in addition to a number of other products.

EDF is well-positioned to disseminate the records to the public, as we engage in extensive, daily efforts to inform the public about matters involving environmental policy through press releases, action alerts, reports, analyses, blogs, and other public outreach materials.² These outreach channels are proven effective: a press release that EDF released in response to a partial production of EPA records was quickly picked up by a major media outlet.³ We fully intend to

¹ Risk Evaluation for Cyclic Aliphatic Bromide Cluster (HBCD Cluster), <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/risk-evaluation-cyclic-aliphatic-bromide-cluster-hbcd>.

² See, e.g., Press Release, EDF, *New Research Shows There Are More Opportunities to Save Coral Reefs* (Nov. 16, 2018), <https://www.edf.org/media/edf-and-health-advocates-prevail-fda-bans-seven-cancer-causing-flavorings>; Richard Denison, *EDF files extensive comments critical of EPA's problem formulations for the first 10 chemicals being reviewed under TSCA*, EDF HEALTH BLOG (Aug. 17, 2018), http://blogs.edf.org/health/2018/08/17/edf-files-extensive-comments-critical-of-epas-problem-formulations-for-the-first-10-chemicals-being-reviewed-under-tsca/?_ga=2.41585382.552978368.1540307229-219607077.1531321487.

³ Press Release, EDF, *Environmental Defense Fund Obtains Information on Over 1,900 Climate-Related Items Removed from or Modified on EPA Website* (Aug. 11, 2017), <https://www.edf.org/media/environmental-defense-fund-obtains-information-over-1900-climate-related-items-removed-or>; Coral Davenport & Eric Lipton, *Scott Pruitt Is Carrying Out His E.P.A. Agenda in Secret, Critics Say*, N.Y. Times (Aug. 11, 2017), <https://www.nytimes.com/2017/08/11/us/politics/scott-pruitt-epa.html> (citing EDF's press release).

disseminate newsworthy information received in response to this request. In particular, the documents requested would shed light on EPA's understanding of the chemical substance, including any health and safety concerns that may have arisen during the review process. Accordingly, we respectfully request that the documents be furnished without charge. 5 U.S.C. § 552(a)(4)(A)(iii).

For ease of administration and to conserve resources, we will accept documents produced in a readily accessible electronic format. Please provide records on a rolling basis; EPA's search for, or deliberations concerning, certain records should not delay the production of others that EPA has already retrieved and elected to produce. In the event EDF's request for a fee waiver is denied or if you have any questions about this request, please contact me immediately by telephone at (202) 572-3535 or by email at sschwarz@edf.org.

Respectfully submitted,

Stephanie Schwarz

Environmental Defense Fund
1875 Connecticut Ave. NW, Suite 600
Washington, D.C. 20009
T: (202) 572 – 3535
sschwarz@edf.org

Appendix A

To: Bertrand, Charlotte[Bertrand.Charlotte@epa.gov]; Beck, Nancy[Beck.Nancy@epa.gov]; Dourson, Michael[dourson.michael@epa.gov]; Morris, Jeff[Morris.Jeff@epa.gov]; Henry, Tala[Henry.Tala@epa.gov]
Cc: Orme-Zavaleta, Jennifer[Orme-Zavaleta.Jennifer@epa.gov]; Robbins, Chris[Robbins.Chris@epa.gov]; Rodan, Bruce[rodan.bruce@epa.gov]; Yamada, Richard (Yujiro)[yamada.richard@epa.gov]; Thayer, Kris[thayer.kris@epa.gov]; Lavoie, Emma[Lavoie.Emma@epa.gov]; Ross, Mary[Ross.Mary@epa.gov]; Hanley, Mary[Hanley.Mary@epa.gov]; Scheifele, Hans[Scheifele.Hans@epa.gov]; Camacho, Iris[Camacho.Iris@epa.gov]
From: Bahadori, Tina
Sent: Tue 1/16/2018 10:37:26 AM
Subject: IRIS HBCD Assessment
[HBCD ToxReview AR draft 09-14-17.docx](#)
[HBCD Suppl Info AR draft 09-14-17.docx](#)

Dear OCSPP Colleagues,

Following our offer at our OCSPP-ORD meeting on December 19th, we are transmitting the IRIS HBCD assessment to support the TSCA risk evaluation. ORD will not be pursuing a separate assessment. As we discussed, giving the focus of the HBCD evaluation over to OPPT for TSCA is in the best interest of the Agency at this time. Should a need for a RfD be indicated at a later date, it has been derived and could be peer reviewed. As explained below, the IRIS systematic review documents are currently housed separately in HAWC. We would be happy to give you access and an illustration of how to find and visualize the HBCD contents. We look forward to staying in touch as your HBCD evaluation progresses and welcome any scientific discussion as you integrate our human health hazard assessment.

Additional information about the attached documents:

Both volumes – the Toxicological Review and the Supplemental Information – were fully tech edited in November 2016. An update of the tech edit was performed on the Toxicological Review volume in August 2017. Modest revisions have been made since August 2017.

During the last half of 2017, the IRIS HBCD team focused on application of new systematic review tools and updating documentation of the systematic review. The resulting materials, which have not yet been incorporated into the Toxicological Review, include:

- Data extraction of animal toxicology studies into HAWC and QC;
- Study evaluation of both epidemiology and animal toxicology studies in HAWC;
- Data visualization in HAWC (including development of an exposure-response array

visualization option for the HAWC software, which was used to develop new HBCD arrays);

- Literature screening of new studies and discussions of how to incorporate them into the draft;
- Development of an IRIS assessment protocol and review by agency partners;
- Preliminary development of evidence profile tables that reflect evidence integration for each hazard;
- Discussions of within- and across-stream evidence integration as well as hazard conclusions using the structured framework in the IRIS Handbook; and
- A revised structure for the Toxicological Review, primarily reflecting changes in presentation of the methods and results of the systematic review.

As indicated above, the work related to these systematic review pieces exists outside the current draft (e.g., housed in HAWC, team notes, etc.). The IRIS team had planned to incorporate the necessary systematic review documentation of the above work into the draft assessment at the beginning of 2018. As the IRIS Program will no longer be developing an HBCD assessment, the current draft IRIS assessment will not be further updated. We are happy to meet with OPPT staff to discuss these systematic review pieces.

Tina

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Tina Bahadori, Sc.D.

Director, National Center for Environmental Assessment (EPA/ORD/NCEA)

National Program Director, Human Health Risk Assessment (EPA/ORD/HHRA)

Mail Code 8201R| 1200 Pennsylvania Ave, NW | Washington, DC 20460

DC phone: 202-564-7903